

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

AMERICAN FAMILY MUTUAL)
INSURANCE CO., S.I., a Wisconsin)
Corporation,)

Plaintiff,)

v.)

JDD INVESTMENT CO., an Illinois)
Corporation, and ANA AVILA,)

Defendants.)

Case No. 21 CV 4314

Judge John F. Kness

STIPULATION TO DISMISS ENTIRE ACTION WITHOUT PREJUDICE

IT IS HEREBY STIPULATED AND AGREED, by and between all parties who have appeared in the captioned lawsuit, acting through their respective undersigned counsel, as follows:

1. By way of a separate Non-Waiver and Tolling Agreement entered into between Plaintiff American Family Mutual Insurance Co., S.I. (“AmFam”) and Defendant JDD Investment Co. (“JDD”), JDD has withdrawn any demand for coverage from AmFam for the matters alleged in this action under the insurance policy at issue in this action.

2. Based on the withdrawal of any demand for coverage, the parties have agreed that there is no justiciable controversy.

3. As a result, the parties agree that all claims that have been asserted in the instant lawsuit shall be dismissed without prejudice pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, each party to bear its own costs and fees.

IT IS SO STIPULATED.

Dated: December 14, 2021

Respectfully submitted,

/s/ David M. Lewin

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CERTIFICATE OF SERVICE

I hereby certify that on December 14, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/David M. Lewin
David M. Lewin